

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

FILED
U.S. DISTRICT COURT
NORTHERN DIST. OF TX.
FT. WORTH DIVISION

2011 SEP -6 PM 3:55
CLERK OF COURT

UNITED STATES OF AMERICA,	§	
	§	
	§	
v.	§	NO. 4:11-CV-296-A
	§	
\$89,828.79 IN U.S. CURRENCY	§	
\$45,000.68 IN U.S. CURRENCY	§	

**PLAINTIFF'S AGREED MOTION FOR
FINAL JUDGMENT OF FORFEITURE**

The Plaintiff United States of America (the Government) respectfully submits this agreed motion and moves this Court for entry of a final judgment of forfeiture. In support, it would show the Court as follows:

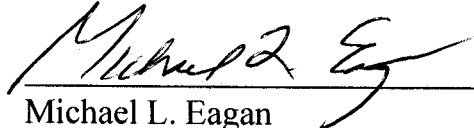
1. The Government filed its Complaint for Forfeiture¹ [docket #1] against the defendant property on May 3, 2011, alleging that the defendant property was subject to forfeiture pursuant to 31 U.S.C. § 5317 and 18 U.S.C. § 981(a)(1).
2. In accordance with Rule G(3)(b)(i) and (c) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, warrants for the arrest of the defendant property were issued on May 5, 2011 [docket #4].
3. In accordance with Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the Notice of Forfeiture was published on an official Government Internet site (www.forfeiture.gov).

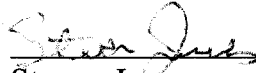
4. In accordance with Rule G(4)(b) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, potential claimant Segundo Ruiz was sent a copies of the Notice of Forfeiture, as well as a copy of the Complaint for Forfeiture.
5. Ruiz, through his attorney, contacted the Government several times relating their intention to settle this matter.
6. The Government and Ruiz have entered into a Stipulation of Forfeiture, filed May 19, 2011, in which Ruiz agreed to forfeit \$82,829.47 of the defendant property to the Government, and the Government agreed to release the remaining \$52,000.00 of the defendant property to Claimant Ruiz, less any debt owed to the United States, any agency of the United States, or any other debt in which the United States is authorized to collect. [docket # 6].
7. The deadline for filing claims to the defendant property (60 days after the first date of publication on the official Internet Government forfeiture site) was July 9, 2011; that date has passed; and no other person or entity besides Ruiz has appeared concerning the defendant property. Therefore, any and all others' interest in the defendant property should be extinguished.

THEREFORE, the Government moves for entry of a final judgment in accord with the Stipulation between the Government and the Claimants.

Approved:

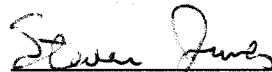
Respectfully submitted,
JAMES T. JACKS
UNITED STATES ATTORNEY


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CERTIFICATE OF CONFERENCE

I certify that on May 12, 2011 and May 16, 2011, and August 3, 2011 I conducted telephonic conferences with Ruiz' attorney Mike Egan, concerning the relief requested by this Motion. I also certify that I met with Mr. Ruiz and Mr. Egan in person on May 16, 2011 to discuss this matter. Mr. Egan has stated that he is in agreement with the relief requested by said motion. Additionally, the relief requested by this Motion is in accord with the Stipulation between the Government and Ruiz.


STEVEN JUMES
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2010, I electronically mailed the foregoing document with to the Claimant's Attorney, Mike Egan.

A handwritten signature in cursive script, appearing to read "Steven Jumes", is written over a horizontal line.

STEVEN JUMES

Assistant United States Attorney